



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

MAR 24 2004
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Paper No. 33

In re application of: :
Anatoly Z. Rosenflanz :
Serial No.: 09/618,876 : DECISION ON
Filed: July 19, 2000 : PETITION
For: FUSED Al₂O₃-Y₂O₃-ZrO₂ EUTECTIC ABRASIVE PARTICLES,
ABRASIVE ARTICLES, AND METHODS OF MAKING AND
USING THE SAME:

This is a response to the PETITION UNDER 37 CFR 1.181(A) TO WITHDRAW THE HOLDING OF ABANDONMENT, filed September 04, 2003. The petition requests that the abandonment, as set forth in the Notice of Abandonment of August 04, 2003, for failure to timely pay the issue fee as indicated in Notice of Allowability and Notice of Allowance and Issue Fee Due mailed March 21, 2003 be withdrawn. The petitioner asserts that applicant timely filed a Request for Continued Examination (RCE) on June 20, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicant did indeed file the proper response to the Office letter (i.e. Notice of Allowability and Notice of Allowance and Issue Fee Due) of March 21, 2003 in a timely manner. The submitted evidence are : (1) a copy of the RCE filed via facsimile on June 20, 2003, with an executed Certificate of Facsimile dated June 20, 2003; (2) a copy of the Confirmation of Facsimile for the RCE; and (3) an Affidavit by Lisa A.Hengen stating that she signed the Certificate of Facsimile for the RCE, and submitted the RCE via facsimile on June 20, 2003.



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Therefore, the Notice of Abandonment is hereby withdrawn, and the case is returned to pending status. The case will be forwarded to the Technical Support Staff for processing the RCE and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

J. Stone

Jacqueline Stone, Director
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